

DEC 09 2005

FAX TRANSMITTAL COVER SHEET

CONLEY ROSE, P.C.
600 Travis, Suite 7100
Houston, Texas 77002
Fax Number: (713) 238-8008
Telephone Number: (713) 238-8000

ORIGINAL WILL FOLLOW VIA:

- | | |
|-------------------------------------|-----------------------|
| <input type="checkbox"/> | MAIL |
| <input type="checkbox"/> | INTERNATIONAL AIRMAIL |
| <input type="checkbox"/> | COURIER |
| <input checked="" type="checkbox"/> | WILL NOT FOLLOW |
| <input type="checkbox"/> | HAND DELIVERY |
| <input type="checkbox"/> | WITH ENCLOSURE(S) |
| <input type="checkbox"/> | WITHOUT ENCLOSURE(S) |

PLEASE DELIVER THE FOLLOWING PAGES IMMEDIATELY TO:

NAME: MAIL STOP AMENDMENT

FIRM: U.S. PATENT & TRADEMARK OFFICE

CITY: ALEXANDRIA, VIRGINIA

FAX NO: 571-273-8300

REMARKS: Serial No. 10/676,858, filed October 1, 2003
The following is attached hereto: Transmittal Form (1 p.); Response to Notice of
Non-Compliant Amendment (1 p.); Updated and resubmitted Response to
Office Action Dated July 27, 2005 (13 p.)

Total Number of Pages (Including This One): 16

FROM: Collin A. Rose, Direct Dial No. 713-632-1683

DATE: December 9, 2005

ATTORNEY DOCKET NO. 1391-28401

IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL BACK AS SOON AS POSSIBLE.

This facsimile, and the information it contains, is intended to be a confidential communication only to the person or entity to whom it is addressed. If you have received this facsimile in error, please notify us by telephone at the above telephone number and return the original to this office by mail.

RECEIVED
CENTRAL FAX CENTER

002/016

DEC 09 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0032

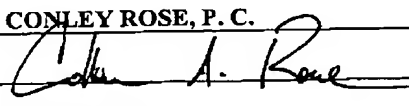
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/676,858	
	Filing Date	October 1, 2003	
	First Named Inventor	Jay M. Eppink	
	Art Unit	3672	
	Examiner Name	Frank Tsay	
Total Number of Pages in This Submission	15	Attorney Docket Number	1391-28401

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <ul style="list-style-type: none"> • Response to Notice of Non-Compliant Amendment (37 CFR 1.121)
<div style="border: 1px solid black; padding: 2px; display: inline-block;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	CONLEY ROSE, P. C.	
Signature		
Printed name	Collin A. Rose	
Date	December 9, 2005	Reg. No. 47,036

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or Printed Name	R. Elizabeth Skaggs		
Signature		Date	December 9, 2005

165078.01/1391.28401

DEC 09 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	Jay M. Eppink Brent E. Phillips James W. Estep	§ § § § § § § § § § §	GROUP ART UNIT: 3672
SERIAL NO.:	10/676,858		
FILED:	October 1, 2003		EXAMINER: Frank S. Tsay
FOR:	Method and Apparatus for Removing Cuttings from a Deviated Wellbore		

**RESPONSE TO NOTICE OF
NON-COMPLIANT AMENDMENT (37 CFR 1.121)**

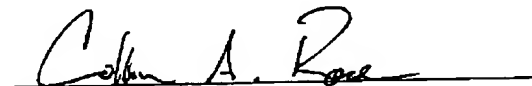
Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: December 9, 2005

Sir:

In response to the Notice of Non-Compliant Amendment (37 CFR 1.121) dated December 2, 2005, enclosed is a revised "Response to Office Action Dated July 27, 2005" document originally filed on October 25, 2005.

Respectfully submitted,



Collin A. Rose
PTO Reg. No. 47,036
CONLEY ROSE, P.C.
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/676,858 Confirmation No. 7643
Applicants : Jay M. Eppink,
Brent E. Phillips,
James W. Estep
Filed : October 1, 2003
TC/A.U. : 3672
Examiner : Frank S. Tsay

Title : Method and Apparatus for Removing Cuttings from a Deviated Wellbore
Docket No. : 1391-28401
Client Ref. No.: 2002-IP-005320
Customer No. : 23505

Date : December 9, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO OFFICE ACTION DATED JULY 27, 2005

Sir:

Please amend the above-identified application as follows and consider the following remarks in response to the Office action dated July 27, 2005.

Amendments to the Claims are reflected in the listing of the claims that begins on page 2 of this paper.

Remarks begin on page 10 of this paper.